

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

MICHAEL CALLAGHAN,

Plaintiff,

v.

Civil Action No. 2:12-cv-03419

NATALIE E. TENNANT,
In her official capacity as
West Virginia Secretary of State;
NATALE E. TENNANT, GARY A. COLLIAS,
WILLIAM N. RENZELLI, and ROBERT RUPP
in their official capacities as members of the
West Virginia State Election Commission,

Defendants.

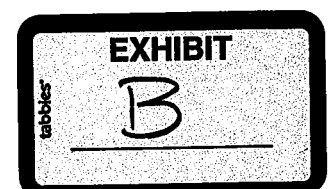
AFFIDAVIT OF MICHAEL CALLAGHAN

STATE OF WEST VIRGINIA,

COUNTY OF KANAWHA:

After first duly sworn, affiant states as follows:

1. I am over the age of 18 and a citizen and resident of Kanawha County.
2. I am a practicing attorney duly licensed to practice in the State of West Virginia
and am a small business owner.
3. I make contributions to candidates for elected office in West Virginia.
4. I wish to make contributions to the two non-participating candidates nominated
by the Democratic Party for the 2012 election to the Supreme Court of Appeals of West Virginia.
5. I oppose the use of taxpayer money to finance elections.



6. I, together and in combination with others, wish to conduct independent expenditures in favor of candidates who oppose public financing and/or in opposition to candidates who accept public funds to support their campaigns.

7. I have not and will not make these contributions and expenditures because of the existence of the West Virginia Supreme Court of Appeals Public Campaign Financing Pilot Program which allows the participating candidate I oppose to receive funds matching the contributions and expenditures of persons supporting other candidates or opposing a participating candidate.

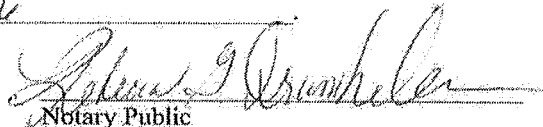
8. Because I would otherwise make these contributions and expenditures, the existence of these provisions, chills my right to unencumbered speech protected by the First Amendment.

Further your affiant sayeth not.


MICHAEL CALLAGHAN

Taken, subscribed and sworn to before me this 22nd day of August, 2012.

My commission expires 10-16-2016


Notary Public

